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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MATT ABRAHAM LONDON,

Defendant.

No. CR 09-00662 PVT

STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME UNDER
THE SPEEDY TRIAL ACT

SAN JOSE VENUE

On July 2, 2009, United States Attorney Law Clerk Derek Ko and Assistant Federal Public Defender Nicholas Humy appeared for a status hearing in the above-referenced case. Mr. Humy informed the Court that discovery had been provided, that the defense needed time for effective preparation and investigation, and the parties requested that a further status hearing be scheduled for August 6, 2009 at 11:00 a.m. The government also requested an exclusion of time under the Speedy Trial Act from July 2, 2009 to August 6, 2009. The defendant, through Mr. Humy, agreed to the exclusion. The parties agree and stipulate that an exclusion of time is appropriate based effective preparation of defense counsel.

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2 SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

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4 DATED:

/s/_____
SUSAN KNIGHT
Assistant United States Attorney

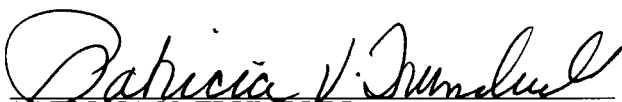
5
6 DATED:

/s/_____
NICHOLAS HUMY
Assistant Federal Public Defender

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10 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded
11 under the Speedy Trial Act from July 2, 2009 to August 6, 2009. The Court finds, based on the
12 aforementioned reasons, that the ends of justice served by granting the requested continuance
13 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant
14 the requested continuance would deny defense counsel reasonable time necessary for effective
15 preparation, taking into account the exercise of due diligence, and would result in a miscarriage
16 of justice. The Court therefore concludes that this exclusion of time should be made under 18
17 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

18 SO ORDERED.

19
20 DATED: 7/27/09


PATRICIA V. TRUMBULL
United States Magistrate Judge